

REMARKS

Claims 1, 2 and 4-20 are pending. Claims 1 and 15 are the only independent claims.

In the office action mailed October 6, 2009, claims 1, 8, 10 and 15 were objected to because of various informalities noted on pages 3 and 4 of the office action.

Claims 1 and 4-14 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter because the claims were asserted as being “directed towards an apparatus that may be construed as a software apparatus.”

Claims 1, 2, 4-13, 15 and 18 were rejected under 35 U.S.C. §102(b) as being anticipated by U.S. patent 6,470,329 to Livshitz.

Claims 14, 19 and 20 were rejected under 35 U.S.C. §103(a) as being unpatentable over Livschitz in view of U.S. patent 5,684,990 to Boothby.

Claim 1 has been significantly revised in response to the office action. More particularly, the preamble of claim 1 has been revised to state that the claim is directed to a mobile node that is part of a radio communications system. Paraphrased, the claim now recites that the mobile node is comprised of structure recited as being “processing circuitry” that is coupled to the database. The processing circuitry is claimed as being “configured” to perform various functions that were previously claimed as being performed by a “hash generator” and a “content retriever.”

Claims 1 and 4-14 are now clearly directed to physical structure, namely the processing circuitry identified in lines 8-9 of page 10. The Examiner’s statutory subject

matter rejection of claims 1 and 4-14 is therefore believed to be overcome by the amendment to claim 1.

In addition to changing the preamble and claim limitations, line 2 of the preamble has been revised to change "a mobile node part" to "*the* mobile node part." Lines 7-9 have been deleted. In line 15, "the" was inserted in front of "mobile-copy." And, the last three lines of the claim have been revised to affirmatively recite how the device is structured.

Two wherein clauses have been added to both claims 1 and 15, which are believed to place all of the claims in condition for allowance over Livschitz. Parphrased, the two new clauses that have been added to each independent claim recite that the claimed mobile node is part of a bi-directional or two-way radio communications system. Data is recited as flowing in both directions between the network part and the mobile node.

Support for adding the two new wherein clauses to the two independent claims can be found in lines 9-17 of page 8. No new matter has been added.

The limitations added to claims 1 and 15 through the wherein clauses is believed to place the claims in condition for allowance because the Livschitz references does not show or suggest the synchronization of databases in a two-way mobile communications device. In FIG. 9, and in column 9, Livschitz teaches the synchronization of a database in a PDA, however, those of ordinary skill in the art know that a PDA does not send and receive communications data, which is well-known in the art to include e-mail, SMS messages and digital signals representing voice communications, to and from compatible communications networks respectively. By directing the pending claims to a two-way data communications system, the pending claims avoid Livschitz and recite patentable subject matter.

In addition to amending the claims as set forth above, the Applicant also amended each dependent claim to conform to the independent claims. Each instance of hash generator in the dependent claims has been replaced with "circuitry." Each instance of "content retriever" has also been replaced by "circuitry," it being assumed that the circuitry performing the recited functions is the circuitry recited in lines 6-11 of page 10.

The informalities noted by the Examiner have been corrected. New limitations have been added to the claims to distinguish the claimed subject matter from Livschitz. Each of the pending claims is therefore believed to be in condition for allowance. Reconsideration of the pending claims is therefore respectfully requested.

Respectfully submitted,

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